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In re Application of :
BISIULES, et al. :
Application No.: 10/529,677 : DECISION ON RENEWED
PCT No.: PCT/US03/36256 :
Int. Filing Date: 13 November 2003 : PETITION UNDER
Priority Date: 13 December 2002 :
Atty. Docket No.: 90959US : 37 CFR 1.497(d)
For: IMPROVEMENTS RELATING TO DIPOLE :
ANTENNAS AND COAXIAL TO MICROSTRIP :
TRANSITIONS :

This decision is in response to applicant's correspondence filed 15 January 2008 in the United States Patent and Trademark Office (USPTO). The papers are being treated as a renewed petition under 37 CFR 1.497(d).

BACKGROUND

On 14 November 2007, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.497(d). Applicant was afforded two months to file any request for reconsideration.

On 15 January 2008, applicant filed the present renewed petition. As authorized, a one-month extension of time fee will be charged to deposit account number 23-0920. With payment of the extension of time fee, the present response is considered timely filed.

DISCUSSION

As detailed in the decision mailed 14 November 2007, 37 CFR 1.497(d) [formally, 37 CFR 1.48] states in part: "If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application....applicant must submit:

- (1) a statement from each person being added or deleted as an inventor that the error in inventorship occurred without any deceptive intention on his or her part;
- (2) any new oath or declaration required by paragraph (f) of this section; and
- (3) the fee set forth in 37 CFR 1.17(h); and

- (4) if an assignment has been executed by any of the original named inventors, the written consent of the assignee in compliance with 37 CFR 3.73(b).

Applicant previously satisfied items (1)-(3).

With the filing of the present renewed petition and supporting materials, applicant has shown that the subject inventor, Ching Shun-Yang was listed as an inventor in the originally filed international application. A review of receiving office records at the USPTO has confirmed inventor Shun-Yang's status. As such, the renewed petition will be dismissed as moot and the combined declaration and power of attorney filed 28 February 2006 accepted as compliant under 37 CFR 1.497.

CONCLUSION

For the reasons stated above, applicant's renewed petition under 37 CFR 1.497(d) is **DISMISSED as moot.**

The application has an international filing date of 13 November 2003 under 35 U.S.C. 363 and will be given a date of **28 February 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.



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